

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

07CIV8272(PAC)

X

JEWELRY 47, INC.

Plaintiffs,

-against-

**AFFIDAVIT OF
JULIA BEVACQUA**

**LARRY BIEGLER, DIONE TILLMAN AND
ELOHIM FINANCIAL, INC.**

Defendants.

X

JULIA BEVACQUA, being duly sworn, deposes, and says:

1. I am a certified forensic document examiner and handwriting expert, and I have been qualified as an expert witness in document examination in the States of New York, New Jersey, Pennsylvania, and Wisconsin.

Attached hereto as "Exhibit A" is my Curriculum Vitae.

2. On October 3, 2007, I was retained by "PETER S. GORDON", Attorney at Law, from the Law Offices of Gordon & Gordon, P.C., to examine certain documents for my professional opinion, as to whether the questioned signature specimen "LARRY BIEGLER" on the signature page of an original "contract", dated July 1, 2007, compared with the twenty-one known signature specimens of "LARRY BIEGLER", on each of three certified true copies, filed with the State of California Butte County Clerk-Recorder's Office, of three "Grant Deeds", dated June 13, 2005, October 4, 2006, and May 4, 2007; on an original handwritten note and a photocopy of a "Monthly Rental Agreement", both dated March 11, 2007; on an original "Disclosure Regarding Real Estate Agency Relationships", and an original with its attached original carbon of a "Pacific Auction Exchange, Inc., Seller's Agreement of

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Confidentiality", all three dated March 13, 2007; on four photocopies, a "Disclosure Regarding Real Estate Agency Relationships", undated, page 5 of a signature page of a declaration, dated October 2, 2007, page 4 of a signature page of a declaration, dated October 12, 2007, and a page of ten purported "LARRY BIEGLER" signature specimens, undated (headline: 2007-09-25, 14:101592>>FAX, 1/2).

For the purposes of my examination, I labeled the questioned signature "LARRY BIEGLER" as "Q1", of which a copy is attached hereto as **"Exhibit B"**, and the twenty-one exemplars, the known signature specimens of "LARRY BIEGLER" as "K1" ("Grant Deed", 06/13/05), "K2" ("Grant Deed", 10/04/06), "K3" ("Grant Deed", 05/04/07), "K4" (handwritten note, 03/11/07), "K5" ("Monthly Rental Agreement", 03/11/07), "K6" ("Disclosure Regarding Real Estate Agency Relationships", 03/13/07), "K7a", "K7b" ("Pacific Auction Exchange, Inc., Seller's Agreement of Confidentiality", 03/13/07), "K8" ("Disclosure Regarding Real Estate Agency Relationships", undated), "K9" (signature page of a declaration, 10/02/07), "K10" (signature page of a declaration, 10/12/07), "K11a", "K11b", "K11c", "K11d", "K11e", "K11f", "K11g", "K11h", "K11i", "K11j", (the ten purported "LARRY BIEGLER" signature specimens, 09/25/07), of which the copies are attached hereto as **"Exhibit C"**.

All original documents hereinabove were returned to Peter S. Gordon.

3. I did examine the said documents and I was able to render an opinion at the outcome of my scientific research. After studying the documents submitted hereinabove by the use of a stereo microscope with halogen lighting, several magnifiers with optical systems for different applications, and traditional forensic macro photographic equipment with specialized lighting techniques, there was sufficient

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agreement with forensic certainty to support the following conclusion that one writer was the author of the "LARRY BIEGLER" questioned signature specimen and the "LARRY BIEGLER" known signature specimens hereinabove as indicated hereinbelow.

In my professional opinion, a **positive identification**, with forensic certainty and **no unexplainable significant differences**, was determined after examining and comparing the questioned signature specimen hereinabove with the "K1" through "K8" known signature specimens hereinabove. However, the "K9", "K10", and "K11a" through "K11j" known signature specimens hereinabove were determined to be inconclusive when examined and compared with the questioned signature specimen hereinabove due to the type of copies submitted and examined for same, which offered only deteriorated signature specimens for comparison.

If there may be any possibility of reaching a determination with forensic certainty, from an examination and comparison of the "LARRY BIEGLER" questioned signature specimen with the "LARRY BIEGLER" second signature style exhibited in "K9", "K10", and "K11a" through "K11j" hereinabove, the original October 2 and October 3, 2007, declarations for same, as well as other original known signature specimens for this second "LARRY BIEGLER" signature style, would be needed.

It is not uncommon for a writer to employ two or more different signature writing styles such as one signature style as the maker on a payroll check and another signature style as the endorsee on a personal check.

4. Elements of comparison considered in the research hereinabove were the line quality, form, proportion, writing movement, and the natural variations of the writer.

The writer's ability to control the strokes in "Q1" hereinabove

exhibited the same free-flowing quality in its speed of execution as in the "K1" through "K8" signature specimens hereinabove. Refer to **"Exhibit D"** attached hereto.

The relative size of the uppercase "L" and "B" to each other, in the "LARRY BIEGLER" questioned signature specimen, "Q1", hereinabove and the nine "LARRY BIEGLER" known signature specimens, "K1" through "K8", hereinabove was significantly similar. Refer to **"Exhibit D"** attached hereto.

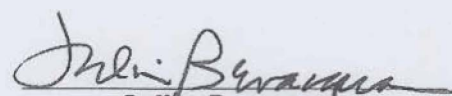
"Proportion is characteristic of a writer even though an attempt is made to disguise the form or slant, or change the size of the writings. Every writer subconsciously and consistently uses a chosen scale of proportion." (Introduction to Handwriting Examination and Identification, Russell R. Bradford and Ralph B. Bradford; Nelson-Hall Publishers, Chicago; ISBN: 0-8304-1241-7; Chapter 7, page 263).

5. Therefore, with **no unexplainable fundamental differences** having been discovered at the outcome of the scientific examination hereinabove, in my professional opinion, there was a **positive identification with forensic certainty** that the writer of the "LARRY BIEGLER" questioned signature specimen, "Q1", hereinabove is **the same writer** of the nine "LARRY BIEGLER" known signature specimens, "K1", "K2", "K3", "K4", "K5", "K6", "K7a", "K7b", and "K8", hereinabove for the reasons set forth hereinabove.

**SUBSCRIBED AND SWORN TO
BEFORE ME THIS 30th DAY
OF OCT, 2007**

Notary Public

JOHN YEE YAT SIU
No. 01SI5086466
Notary Public, State of New York
Qualified in Queens County
My Commission Expires 10/14/2009


Julia Bevacqua
Certified Forensic Document Examiner



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C U R R I C U L U M V I T A E

PAGE 1 of 6

ENGAGED IN THE PROFESSION OF HANDWRITING EXPERTISE SINCE 1981. HAVE EXAMINED SUCH DOCUMENTS AS: BANK CHECKS, PERSONNEL RECORDS, NATIONAL AND INTERNATIONAL BIRTH RECORDS, BUSINESS CONTRACTS, QUITCLAIM DEEDS, SALES INVOICES, CREDIT CARD RECEIPTS, WILLS (INCLUDING HOLOGRAPHIC WILLS), ANONYMOUS MAIL, COMMERCIAL AND RESIDENTIAL LEASES, MEDICAL DOCTOR PRESCRIPTIONS, NURSES HOSPITAL NOTES, MEDICAL COVERAGE FORMS, FACSIMILE COPIES, CARBONLESS FORMS. **HAVE BEEN CONSULTED FOR FOREIGN HANDWRITING CASES,** WHICH INVOLVED CHINESE, KOREAN, WEST AFRICAN, FRENCH, ITALIAN, AND GERMAN, MANY OF WHICH HAVE BEEN TRIED IN U.S. AND FOREIGN COURTS. **HAVE BEEN INVOLVED IN THE IDENTIFICATION OF TYPEWRITTEN AND COMPUTER-GENERATED MATERIALS,** AND HAVE TESTIFIED IN COURT MANY TIMES IN SUCH CASES. **HAVE BEEN CONSULTED BY MAJOR BUSINESSES, INDUSTRIES, AND THE MEDIA.** A PARTIAL LIST OF CLIENTS MAY BE VIEWED ON THE WEBSITE: www.JuliaBevacqua.com.

HAVE BEEN QUALIFIED AS AN EXPERT WITNESS IN THE STATES OF NEW YORK, NEW JERSEY, PENNSYLVANIA, AND WISCONSIN. THE FEDERAL AND STATE COURTS, IN WHICH MY TESTIMONY WAS REQUIRED, ARE: FEDERAL COURT (US DISTRICT COURT, SOUTHERN DISTRICT OF NY; NY IMMIGRATION COURT, 26 FEDERAL PLAZA); SUPREME COURT (KINGS, NASSAU, NEW YORK, QUEENS, & SUFFOLK COUNTIES), SURROGATE'S COURT (KINGS & NASSAU COUNTIES), CIVIL COURT (NEW YORK & QUEENS COUNTIES); NEW JERSEY SUPERIOR COURT (HUDSON COUNTY); PENNSYLVANIA COURT OF COMMON PLEAS (MONTGOMERY COUNTY); WISCONSIN CIRCUIT COURT (KENOSHA COUNTY); IN ADDITION TO OTHER NEW YORK CITY LOCAL COURTS AND DEPOSITIONS. **HAVE TESTIFIED AS AN EXPERT WITNESS IN THE STATE OF NEW YORK AT UNION ARBITRATIONS** FOR BOTH THE GRIEVANT AS WELL AS FOR MANAGEMENT. MY RESEARCH FINDINGS IN MY FORENSIC REPORTS AND GIVEN IN MY TESTIMONY, AS AN EXPERT WITNESS, HAVE RESULTED IN THE ARREST, DISCHARGE, AND REINSTATEMENT OF EMPLOYEES.

BACKGROUND EDUCATION INCLUDES: PACE UNIVERSITY GRADUATE (B.A. HUMAN RELATIONS), RUTGERS UNIVERSITY ACCREDITED COURSES IN CRIMINAL JUSTICE.

SPECIALIZED TRAINING INCLUDES: COMPLETED RESIDENT TRAINING PROGRAMS, FOR FORENSIC DOCUMENT EXAMINATION, AT THE WORLD ASSOCIATION OF DOCUMENT EXAMINERS IN CHICAGO, ILLINOIS; GRADUATE OF THE TWO ANDREW BRADLEY TRAINING COURSES: • FORENSIC DOCUMENT EXAMINATION, • ADVANCED STUDIES IN EXTENDED TRAINING IN QUESTIONED DOCUMENT PROBLEMS, WITH CERTIFICATION BY TESTING; AND THE FORENSIC SCIENCE COURSE "QUESTIONED DOCUMENTS" OF THE AMERICAN INSTITUTE OF APPLIED SCIENCE; STUDIED ACTUAL FORENSIC DOCUMENT EXAMINATION CASES WITH FELIX KLEIN, FOUNDER OF THE NATIONAL BUREAU OF DOCUMENT EXAMINERS, AT HIS MANHATTAN LAB; "HANDS-ON" WORKSHOPS IN FORENSIC DOCUMENT EXAMINATION AT THE NATIONAL BUREAU OF DOCUMENT EXAMINERS IN NEW YORK, NEW YORK, AND AT THE WORLD ASSOCIATION OF DOCUMENT EXAMINERS IN CHICAGO & OAK BROOK, ILLINOIS; "IN-HOUSE" SEMINARS IN ANCONA, ITALY, AT THE ITALIAN HANDWRITING ASSOCIATION (ASSOCIAZIONE GRAFOLOGICA ITALIANA [A.G.I.]); CONTINUING EDUCATION CREDITS FROM THE AMERICAN COLLEGE OF FORENSIC EXAMINERS INTERNATIONAL; NIKON SCHOOL OF PHOTOGRAPHY SEMINAR IN TRADITIONAL SLR PHOTOGRAPHY, WHICH INCLUDED MACRO PHOTOGRAPHY; GRADUATE OF THE NEW YORK INSTITUTE OF PHOTOGRAPHY'S PROFESSIONAL PHOTOGRAPHY CERTIFICATION COURSE IN TRADITIONAL SLR PHOTOGRAPHY, WITH SPECIALIZATION IN CLOSE-UP & MACRO PHOTOGRAPHY; NYS EDUCATION DEPARTMENT TEACHER LICENSE.

HAVE TAUGHT FORENSIC DOCUMENT EXAMINATION ACCREDITED COURSE AT FELICIAN COLLEGE (LODI, NEW JERSEY; 1994-1995) AS AN ADJUNCT PROFESSOR.

PUBLICATIONS INCLUDE: "CASE STUDY: A CASE OF MEDICATION OR DECEPTION" (INTERNATIONAL HANDWRITING ANALYSIS REVIEW; VOL. 2, NO. 1, WINTER 2003, PP. 45-47; AMERICAN ASSOCIATION HANDWRITING ANALYSTS); "THE CRITERIA OF COMPARISON BETWEEN QUESTIONED AND KNOWN DOCUMENTS" (ATTUALITA GRAFOLOGICA, JOURNAL 60, PP. 26-27, SEPT. 1996; ANCONA, ITALY).

P R O F E S S I O N A L M E M B E R S H I P S

AMERICAN HANDWRITING ANALYSIS FOUNDATION (1985 TO PRESENT)
NATIONAL BUREAU OF DOCUMENT EXAMINERS (1992 TO 1995)
WORLD ASSOCIATION DOCUMENT EXAMINERS (1998 TO 2003)
NATIONAL ASSOCIATION DOCUMENT EXAMINERS (1992 TO PRESENT)
AMERICAN COLLEGE OF FORENSIC EXAMINERS INTERNATIONAL (2003 TO PRESENT)

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CURRICULUM VITAE DETAILS PAGE 2 OF 6

EXPERT WITNESS TESTIMONY GIVEN FOR LAST FIVE YEARS

Required Testimonies from 1992 to October 9, 2007: 32

NEW YORK

- **Supreme Court of the State of New York, County of New York**
Mary Rattley v. Iyanu Houses, L.P., Crown Prospect Assoc., L.P., Dougert Management, Inc., Shaun Donovan, as Commissioner of the New York City's Dept. of Housing Preservation and Dev., and the New York City Department of Housing Preservation and Development.
Index No. 402136/2006
Expert Testimony: March 8, 2007 **Judge Marilyn Dershowitz**
- **Supreme Court of the State of New York, County of Suffolk**
The Cadle Company II, Inc. v. Edward Brown.
Index No. 04-24007
Expert Testimony: November 27, 2006 **Judge Elizabeth H. Emerson**
- **United States District Court, Southern District of New York**
A.V. by Versace, Inc. v. Gianni Versace S.p.A. and Alfredo Versace
No. 96 Civ. 9721 (PKL) (THK)
Gianni Versace, S.p.A. v. Alfredo Versace and Foldom (U.S.A.) International Inc.
No. 98 Civ. 0123 (PKL) (THK)
Gianni Versace, S.p.A. v. Alfredo Versace, I. Abbigliamento, Ltd., et al.
No. 01 Civ. 9645 (PKL) (THK).
Expert Testimonies: May 9 & 10, 2006 **Judge Peter K. Leisure**
- **Supreme Court of the State of New York, County of Kings**
Neville Newton Stoddart, Jr. v. Vivla Forbes Stoddart.
Index No. 6668/2002
Expert Testimony: December 19, 2005 **Judge Milton Platt**

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JS. 10/30/07.

CURRICULUM VITAE DETAILS PAGE 3 OF 6

EXPERT WITNESS TESTIMONY GIVEN FOR LAST FIVE YEARS

Required Testimonies from 1992 to October 9, 2007: 32 (continued)

NEW YORK

- **Supreme Court of the State of New York, County of Queens**
Carolina Mordt v. Michael Nwaesel, et al.
Index No. 29716/03
Expert Testimony: May 25, 2005 **Judge Arnold N. Price**
- **New York Immigration Court, 26 Federal Plaza**
In The Matter of Barry, Mamadou Pathè.
File No. A 95-841-554
Expert Testimony: May 5, 2005 **Judge Barbara Nelson**

NO REQUIRED TESTIMONIES FOR THE YEAR "2004".

- **Surrogate's Court of the State of New York, County of Nassau**
Glenn Nathan & Sandy Valin v. Estate of Morton Nathan.
File No. 313588
Expert Testimony: September 4, 2003

WISCONSIN

- **Circuit Court of the State of Wisconsin, County of Kenosha**
In The Estate of Dennie G. Mighten.
Case No. 02PR0000-40
Expert Testimony: June 6, 2002 **Judge Bruce E. Schroeder**

NEW YORK

- **Civil Court of the State of New York, County of Queens**
Slu Wah Tsang v. Michael Lee.
Index No. 50623QVC2000
Expert Testimony: March 4, 2002 **Judge Charles J. Markey**

NO REQUIRED TESTIMONIES FOR THE YEAR "2001".

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CURRICULUM VITAE DETAILS PAGE 4 OF 6

EXPERT WITNESS TESTIMONY GIVEN IN OTHER LEGAL ARENAS
FOR LAST FIVE YEARS

Required Testimonies from 1992 to October 9, 2007: 32 (continued)

NEW YORK

"Judge Hatchett"
Entrada Productions, Inc.
646-230-5759
Joe Colasanti
Production Assistant

Holly Bishel v. Peter Kevorkian, Jr.
Case No. C1349; Tape Date: October 9, 2007
Original Venue: Connecticut Superior Court
Small Claims Session
Court Docket No. SC070093745S

Expert Testimony:
October 9, 2007
Judge Glenda Hatchett

"Judge Hatchett"
Entrada Productions, Inc.
646-230-5759
Joe Colasanti
Production Assistant

Maria Labato v. George and Linda Labato.
Case No. C1328; Tape Date: Sept. 24, 2007
Original Venue: Civil Court of the
City of New York
County of Kings
Court Case No. 6182KSC2007

Expert Testimony:
September 24, 2007
Judge Glenda Hatchett

"Judge David Young"
Entrada Productions, Inc.
646-230-5700
Alicia Arnold
Production Assistant

Ken and Randi Matthews v. Nancy Tubl.
Case No. C125; Tape Date: August 1, 2007
Original Venue: County Court of the State of Florida
County of Marion
Court Case No. 07-3680-SC

Expert Testimony: August 1, 2007
Judge David Young

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CURRICULUM VITAE DETAILS PAGE 5 OF 6

EXPERT WITNESS TESTIMONY GIVEN IN OTHER LEGAL ARENAS
FOR LAST FIVE YEARS

Required Testimonies from 1992 to October 9, 2007: 32 (continued)

NEW YORK

"Judge Maria Lopez"
Entrada Productions, Inc.
646-230-5700
Cherisse Parks
Associate Producer

Shirley Harrison v. Kareem Harrison.
Case No. C330; Tape Date: May 24, 2007
Original Venue: Civil Court of the State of New York
County of Queens
Court Index No. 2602 QSC 2007
Expert Testimony: May 24, 2007
Judge Maria Lopez

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C U R R I C U L U M V I T A E D E T A I L S P A G E 6 O F 6

SPECIALIZED TRAINING IN FORENSIC DOCUMENT EXAMINATION

- 1992 ■ **In-person training** with Felix Klein, Founder of the National Bureau of Document Examiners, at his lab (250 East 57th St., Suite 2032, New York, NY 10107).
- 1993 ■ **Training Course in Forensic Document Examination** with certification by testing from Andrew Bradley & Associates.
- 2001 ■ **Resident training program** at the World Association of Document Examiners, Oak Brook, Illinois (Courses: Basic Examination and Identification of Handwriting; Deciphering Obliterations, Alterations & Other Related Problems; Professional Aspects of Document Examination; Professional Ethics, Care and Custody of Documents and Recording Procedures).
- 2002 ■ **Resident training program** at the World Association of Document Examiners, Chicago, Illinois (Courses: Intermediate Examination & Identification of Handwriting; History of Writing Instruments; Aspects of Communication Through Direct Examination; Methods of Communication as an Expert Witness).
- 2003 ■ **Advanced Studies: Extended Training in Questioned Document Problems** with certification by testing from Andrew Bradley & Associates.
- 2005 ■ **Questioned Documents** forensic science accredited certificate course from the American Institute of Applied Science (approved by the North Carolina Community College System for a total of 27.4 hours).

ADDITIONAL TRAINING

- 2002 ■ **Professional Photography** certification course in traditional SLR photography with specialization in close-up and macro photography from the New York Institute of Photography.
- 2003 ■ Continuing in the **Advanced Photography** certification course in traditional SLR macro photography from the New York Institute of Photography. .
- 2005 ■ **Eight self-study continuing education credits** earned from The Forensic Examiner, the publication for the American College of Forensic Examiners International.